IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1574 OF 2006

Radhika Ravindra Bhagwat & ors. Petitioners
vs.
State of Maharashtra & ors. Respondents

Mr.V.Mannadiar i/b.M/s.Mannadier & Co. for the petitioner.

Mr.C.W.Mattos, A.G.P. for the respondent no.1.

Dr.Virendra Tulzapurkar, Senior Counsel with Mr.Rajesh Shah and Mr.J.B.Patel for the respondent no.4.

Mr.J.Reis i/b.M/s.Markand Gandhi & Co. for the respondent no.5.

CORAM : F.I.REBELLO &
ANOOP V. MOHTA,JJ.

DATED : 21st August, 2006

P.C.

In the development permission given to respondents 4 and 5 by the respondent no.2-Maharashtra Housing & Area Development Board, except two societies are not parties. Both the societies are not before us, but who have come before us are 10 individuals to claim as tenants.

2. Once there is no permission granted in respect of those two societies, we fail to understand as to how the writ jurisdiction of this Court can be invoked. If, according to the petitioners and as alleged, the

respondents 4 and 5 are trying to use force to dispossess and/or demolish the constructions, an appropriate remedy would be to file a Suit for injunction against the respondents 4 and 5. The extraordinary jurisdiction of this Court cannot be involved for that purpose.

3. With the aforesaid reasons, we decline to invoke extraordinary jurisdiction. The petition stands disposed of accordingly.

(F.I. REBELLO, J.)

(ANOOP V. MOHTA,J.)